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# **ANNEXATION STUDY**

**GARNER, NORTH CAROLINA**



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BOARD OF ADVISERS.....J. B. Barfoot  
Sherwood Johnson  
James P. Stevens, Mayor-1967-1970  
John W. Watkins  
Nathan Venable  
Gus Wicks, Town Manager

# ANNEXATION STUDY

JOHN C. BRADSHAW, Mayor  
J. B. Barfoot  
Sherwood Johnson  
James P. Stevens, Mayor-1967-1970  
John W. Watkins  
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Gus Wicks, Town Manager  
Sam Powell, Chairman  
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## GARNER, NORTH CAROLINA

This report was prepared by the Division of Community Development, North Carolina Department of Natural and Economic Resources, under the guidance of James D. Harrington, Secretary, and Walter B. Brown, Jr., Director.

# ANNEXATION STUDY

GARNER, NORTH CAROLINA

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## I - INTRODUCTION

It is often said that "municipalities are creatures of the state," created to provide those services essential for sound urban development and for the protection of health, safety, and welfare of people living close together. Annexation is the process used by municipalities to extend their services to developed or developing areas on the fringe of the municipality. (At the same time municipalities expand their boundaries, increase their tax bases, and add to their population.)

Municipalities in North Carolina have three methods of annexation:

- 1) Petition - Under this method, an area can be annexed by the municipality if a petition is signed by all owners of the real property in the area. A public hearing is required to determine the sufficiency of the petition, after which the governing body may annex the area by ordinance. The petition method of annexation is used primarily when a developer asks the town to annex his development of which he is the sole owner.
- 2) Local Act of the General Assembly - When this method is employed, a resolution is adopted by the governing body, and the local representative to the State General Assembly is asked to introduce the Annexation Act into the General Assembly. If approved by the General Assembly, the Act may require certain conditions for the town to comply with before the Act is effective.
- 3) The 1959 Law (G.S. 160-445) - This method of annexation is divided into two parts: municipalities under 5,000 population, and those with 5,000 or more, as recorded by the last federal decennial census. The primary difference is the requirements for the two sized municipalities is the definition of the areas developed for urban purposes. Both sized municipalities must meet the following requirements:
  - a) the area must be contiguous to the corporate limits;
  - b) at least one-eighth of the total boundary of the area must coincide with the municipal boundary;





- c) no part of the area may be within another municipality;
- d) the area must be developed for urban purposes. For municipalities under 5,000 population, an area developed for urban purposes is defined as any area which is so developed that at least sixty percent of the total number of lots and tracts in the area at the time of annexation are used for residential, commercial, industrial, institutional, or governmental purposes, and is subdivided into lots and tracts such that at least sixty percent of the total acreage, not counting the acreage used at the time of annexation for commercial, industrial, governmental or institutional purposes, consists of lots and tracts five acres or less in size; and
- e) new municipal boundaries shall follow natural topographic features wherever practical, and if a street is used as a boundary, it should include developed land on both sides of the street.

Under this last method, the municipality is required to make plans for the extension of services to the area proposed to be annexed, prior to a public hearing. These plans shall include:

- 1) maps showing present and proposed boundaries of the municipality, and the proposed extensions of water mains and sewer outfalls to serve the annexed area.
- 2) a statement showing that the area to be annexed meets the requirements of the General Statutes.
- 3) a statement setting forth the plans for extending other municipal services into the area, and the method the municipality will use to finance these services.

#### A. Annex

Why should Garner consider the annexation of these areas?

The areas which Garner proposes to annex are largely residential which contain fully developed areas with a high population density. Individual septic tanks in Cloverdale are not





functioning properly, and threaten to pollute the individual water supplies. In Jonesville, one well serves several families, and pit privies serve as sewage disposal. In Hopedale, individual septic tanks have caused problems in the past.

For many, the only solution is annexation. For these reasons, Garner has an obligation to provide necessary services to its neighbors, who not only live near Garner but who also shop and participate in social and cultural activities in Garner. In return for these services, the property owners should be willing to pay a reasonable fee for these services.

The advantages of annexation for the Town of Garner are as follows:

- 1) Increased Revenues - The property tax levy would provide the largest source of new revenue if the proposed areas are annexed. Other local taxes include dog licenses, auto licenses, and privilege license taxes. Revenues from water and sewer service would provide funds for expansion and operation.

Such revenues as franchise taxes, intangible taxes, beer and wine taxes, and Powell Bill funds are collected by the state and returned to municipalities. Intangible taxes are based on the ad valorem taxes levied in the preceding fiscal year. The distribution of franchise taxes to the municipalities is based on the gross receipts from sales. The beer and wine crown tax is distributed on the basis of population. Powell Bill funds are based on a combination of local street mileage and population.

ABC profits are collected by the county and distributed to the municipalities on the basis of real property valuation.

- 2) Increased Tax Base - The new real and personal property would increase the appraised tax valuation for Garner. This would increase the town's debt limit and enable it to expand its services and facilities.
- 3) Increased Population - The increased population would enhance Garner's desirability as a site for new commercial and industrial expansion, and support new levels of community services.





Many of the property owners in the areas proposed for annexation may feel that annexation offers no advantages for them. This assessment is only superficial, as the following advantages will prove:

- 1) Water and Sewer - Areas unserved by Garner's water and sewer systems will be served within a reasonable time after annexation. These services are needed to protect the health and safety of the residents. Those already served by Garner will cease to pay double rates when annexation is completed.
- 2) Police Protection - Better police protection would be provided by Garner. The Wake County Sheriff's Department, now provides protection to unincorporated areas of Wake County.
- 3) Fire Protection - There would be little or no difference in fire protection, as the same department now offers protection to the areas proposed for annexation. The only advantage would be a small reduction in fire insurance rates from a Class 9A to a Class 8 rating.
- 4) Street Lights - Areas annexed by Garner will be provided with street lights, which help prevent crime and accidents.
- 5) Solid Waste Collection and Disposal - Garner will provide for the collection and disposal of solid waste (garbage and trash) for all newly annexed areas. The property owners now must dispose of their garbage and trash themselves or purchase this service from a private contractor.
- 6) Street Maintenance - Garner will provide maintenance or contract with the State Highway Commission for maintenance of all streets within newly annexed areas.
- 7) Right to Vote - Residents in the areas which are annexed by Garner will be able to vote in the town election and hold Town Office. Often, the town board makes decisions which affect those who reside outside the town. Yet, those affected have no voice in the election of this governing body.





- 8) Tax Exemption - Real and personal property taxes are an allowable exemption on both the state and federal income tax forms.

#### B. Goals

- 1) This annexation study prepared for the Town of Garner has two primary goals; to determine whether or not the areas proposed for annexation meet the statutory requirements of the State of North Carolina; and
- 2) To determine if it is feasible, from an economic viewpoint, for the Town of Garner to annex these areas. If the capital outlay for the extension of the town's services is too great, the areas proposed for annexation might have to be reduced in size or eliminated.





## II - METHODOLOGY

### Delineation of Study Areas

The areas proposed for annexation were selected because they were developed or developing adjacent to the corporate limits of Garner. In addition, groups of residents from these study areas and Wake County Health Officials have approached the town on several occasions regarding water and sewer problems in these areas. The boundaries of the areas were property lines or natural features such as roads, railroads, and creeks.

The map used was Garner's base map, which was prepared by a local surveyor. The map was updated using subdivision plats, tax maps, and aerial photographs.

### Acreage Estimates

The acreage of each area was computed by use of a compensating planimeter. All computations were double checked and compared with available tax map acreage.

### Population Estimates

The population in each study area was estimated by multiplying the total number of dwelling units by the population per household (3.51) in St. Mary's Township in 1970.







PROPOSED ANNEXATION AREAS







GARNER  
WAKE COUNTY  
NORTH CAROLINA



MAP 1

PROPOSED ANNEXATION AREAS





### III - STUDY AREAS

#### AREA I

Area I is located north of Garner, and contains the Cloverdale Subdivision. It is bound on the west by the North Carolina Railroad, on the south by the Garner town limits, and on the north by the Cloverdale Subdivision. The eastern boundary consists of property lines.

The land use of Area I is primarily residential, containing 326 dwelling units. The resident population is estimated to be 1,141. This area does contain one industry and 18 businesses.

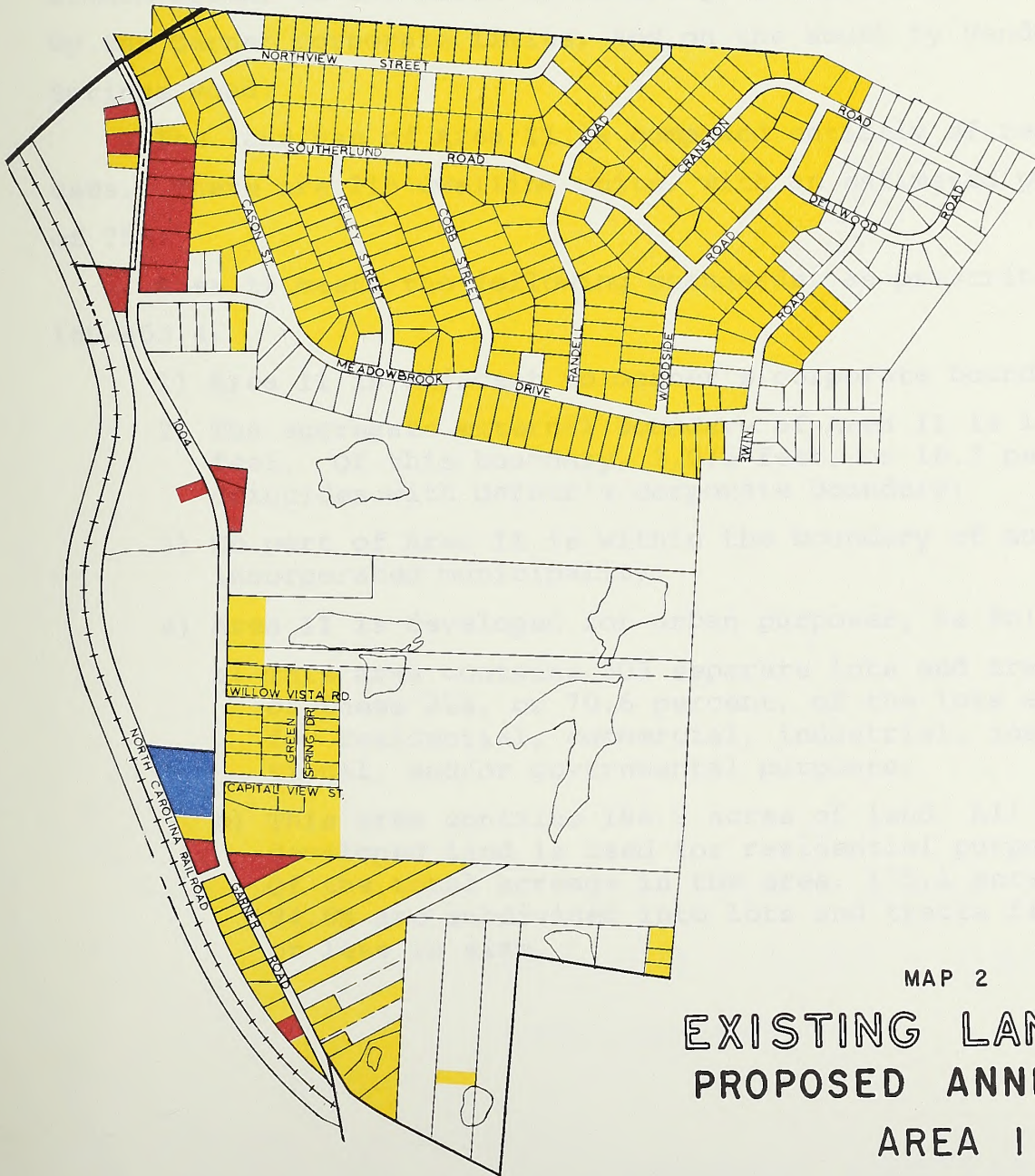
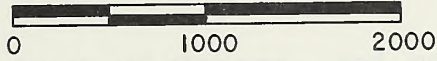
Area I meets the following standards, as prescribed by G.S. 160-453.4:

- 1) Area I is adjacent to Garner's corporate boundary;
- 2) The aggregate external boundary of Area I is 19,305 feet. Of this boundary, 4,790 feet or 24.7 percent coincides with Garner's corporate boundary;
- 3) No part of Area I is within the boundary of another incorporated municipality;
- 4) Area I is developed for urban purposes, as follows:
  - a) this area contains 463 total lots and tracts; of these, 353 or 76.2 percent are used for residential, commercial, industrial, institutional, and governmental purposes;
  - b) Area I contains a total of 504.9 acres of land; the 10 acres used for industrial, commercial, governmental, or institutional purposes is subtracted from the total acreage. Of the remaining 494.9 acres, 306 acres, or 61.8 percent, are subdivided into lots and tracts five acres or less in size.








# GARNER, NORTH CAROLINA



MAP 2  
EXISTING LAND USE  
PROPOSED ANNEXATION  
AREA 1

-  RESIDENTIAL
-  RETAIL TRADE & SERVICES
-  MANUFACTURING





## AREA II

Area II is located west of Garner, and contains the Hopedale and Tiffany Woods Subdivisions. It is bound on the west by Buck Branch Creek, on the north by Woodridge Subdivision, on the east by the Garner corporate limits, and on the south by Vandora Springs Road.

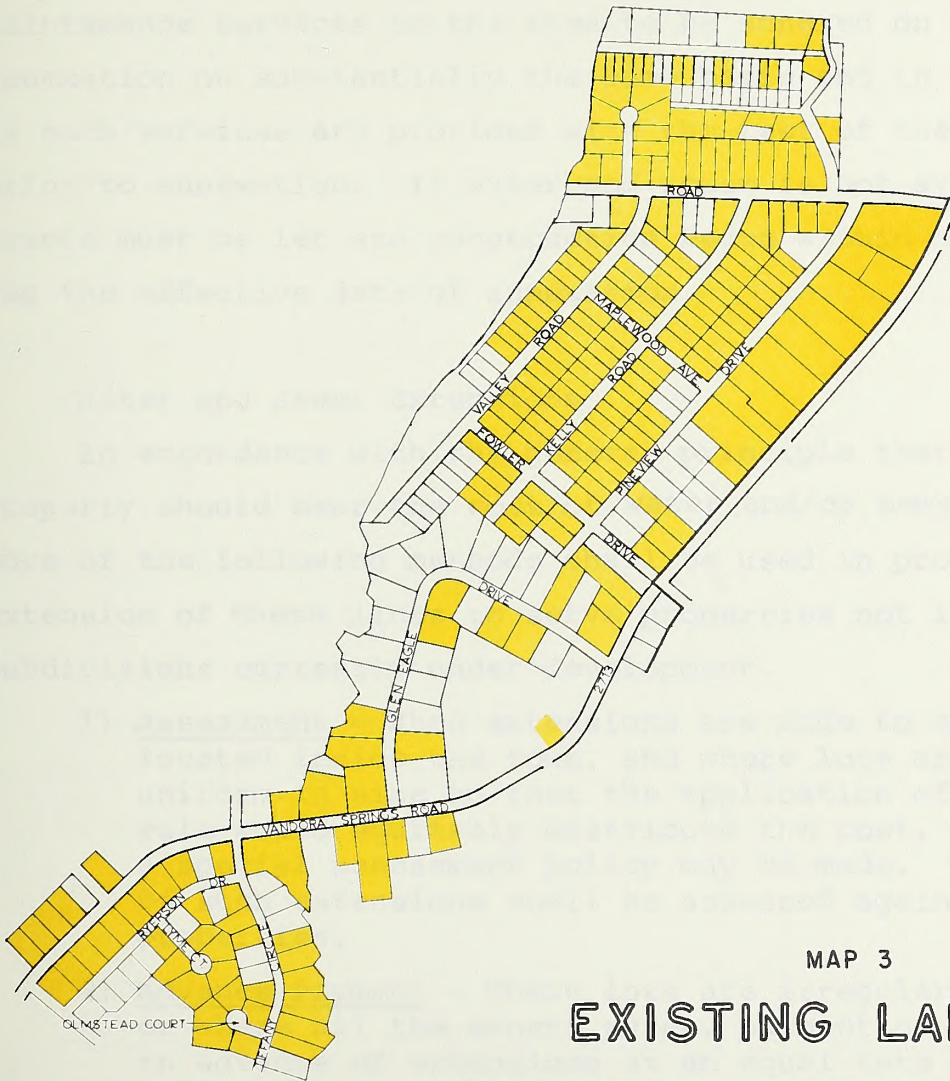
The land use of Area II is composed entirely of residential uses. There are 216 dwelling units, with an estimated population of 756.

Area II meets the following standards, as prescribed by G.S. 160-453.4:

- 1) Area II is adjacent to Garner's corporate boundary;
- 2) The aggregate external boundary of Area II is 18,860 feet. Of this boundary, 3,075 feet, or 16.3 percent coincides with Garner's corporate boundary;
- 3) No part of Area II is within the boundary of another incorporated municipality;
- 4) Area II is developed for urban purposes, as follows:
  - a) This area contains 303 separate lots and tracts; of these 214, or 70.6 percent, of the lots are used for residential, commercial, industrial, institutional, and/or governmental purposes;
  - b) This area contains 184.9 acres of land. All of the developed land is used for residential purposes. Of the total acreage in the area, 175.1 acres, or 94.6% are subdivided into lots and tracts five acres or less in size.

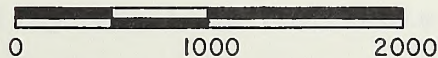






MAP 3

# EXISTING LAND USE GARNER, NORTH CAROLINA



## PROPOSED ANNEXATION AREA 2

 RESIDENTIAL





#### IV - TOWN POLICIES ON EXTENSION OF SERVICES

G.S. 160-453.3 requires that the town..provide for extending police protection, fire protection, garbage collection and street maintenance services to the area to be annexed on the date of annexation on substantially the same basis and in the same manner as such services are provided with the rest of the municipality prior to annexation. If water and sewer is not available, contracts must be let and construction begun within one year following the effective date of annexation.

##### Water and Sewer Extensions

In accordance with the general principle that benefitted property should bear the cost of water and/or sewer lines, one or more of the following methods shall be used in providing for the extension of these lines to serve properties not located within subdivisions currently under development.

- 1) Assessment - When extensions are made to serve properties located inside the town, and where lots are relatively uniform in size so that the application of the front foot rule would equitably distribute the cost, extension under a special assessment policy may be made. The total cost of such extensions shall be assessed against the abutting properties.
- 2) Advance Payment - Where lots are irregular in frontage, or where all the owners agree, payment of the full cost in advance of extensions at an equal rate per lot, shall be permitted. This method may be used in the financing of extensions inside or outside the town boundaries.

A reimbursement policy shall be available for use by an individual property owner who desires service at some distance from existing lines and when assessment of, or contribution from, intervening property does not appear feasible. This method may also be used in financing extensions both inside and outside the town boundaries.





### Police Protection

Police protection will be extended to all newly annexed areas immediately upon annexation. This protection would be provided with the existing personnel

### Fire Protection

Fire protection would be provided by the Garner Volunteer Fire Department which provides this protection at the present. Until water lines and fire hydrants were installed, the protection would not change.

### Solid Waste Collection and Disposal

This service would be extended immediately with existing equipment and personnel.

### Street Paving (Curbs and Gutters)

These improvements are made on a petition basis, with the property owner being assessed 100% for curbs and gutters and 25% of the cost for paving streets. After initial paving, the street is maintained by the town.

### Street Lighting

This service is provided by Carolina Power and Light Company on a contract basis with the Town.





## V - REVENUE AND COST COMPUTATIONS

The revenues anticipated and the costs for the extension of services to the areas to be annexed are of primary concern for the Town of Garner. Ideally, for the project to be economically feasible the revenues and costs should be about equal over the first five years.

Computations for both revenues and costs are only estimates based on the information that is available.

### Revenues

Estimates of the revenues which Garner can anticipate if the proposed areas are annexed were obtained from the Town Manager and other local officials, from the Town's annual audit reports, and from the Wake County Tax Supervisor's office. All estimates are computed on an annual basis and represent the revenue which can be collected from the areas as they are currently developed.

It should be noted that some of the newest development had not been appraised and added to the Wake County tax rolls. Where this was encountered, estimates were made. For example, the Hamlin Sheet Metal Company was not on the tax rolls in St. Mary's Township, and thus, the property which is occupied was assessed at the value set prior to Hamlin occupying the site. Other property has been subdivided into lots, with new houses under construction. Yet the property was valued as vacant land. The tax office is 3 to 6 months behind in assessing such changes. Tax estimates for personal and real property are thus conservative estimates.





- 1) Real Property Tax - The assessed valuation (50% of appraised valuation) of all property in the areas proposed for annexation was obtained from the tax supervisor's office. This total was multiplied by \$1.50, the current tax rate, to arrive at the anticipated real property revenues.
- 2) Personal Property Tax - To estimate the taxes on personal property, business and undeveloped property was separated from residential property. As there were only a few businesses in both areas, the actual value of personal property was obtained from the Wake County Tax Collector. There, of course, is no personal property tax on undeveloped property. The personal property tax for residential property was estimated at 15% of the assessed value of the real property.
- 3) Privilege License - The revenue from this source was determined by the fees charged by Garner for the various businesses, if annexed.
- 4) Auto License - The Town of Garner requires that each motor vehicle owner purchase and display a \$1.00 town license tag. Few families have no automobiles and many have two or more. An estimate of 1.5 vehicles per dwelling unit was used for this study.
- 5) Franchise Tax - Franchise taxes are collected by the state from such public service companies as: gas, telephone, lights and power, bus, water and sewerage companies. Municipalities receive from the state 3% of the total gross receipts derived from the sale of commodities within the municipality. In the 1971-72 fiscal year, Garner's share of franchise tax amounted to \$25,829, or \$14.75 per household. The estimated increase in franchise taxes will be computed by multiplying \$14.75 by the number of dwelling units in the areas proposed for annexation (542).
- 6) Intangible Tax - The state collects an intangible tax on such personal property as cash, stocks, and bonds and returns 90 to 95 percent of these funds to the counties and municipalities on the basis of population. The funds in turn are distributed among the county and its municipalities according to the latest levy of ad valorem taxes. The ad valorem tax levy for the 1971-72 fiscal year was \$209,340, and the town's share of intangible tax was \$10,557. This represents 5¢ of intangible tax for each dollar of ad valorem tax.







- 7) Beer and Wine Tax - The state levies and collects a beer and wine crown tax, of which 47½% of the beer crown tax and 50% of the wine crown tax collected is allocated and distributed to counties and municipalities wherein such beverages may be licensed to be sold. The tax is to be distributed on the basis of population as shown by the latest federal decennial census. The annexation of new areas will not increase Garner's share of beer and wine taxes until the 1980 census. Therefore, this source of revenues will not be considered for this report.
- 8) Powell Bill Funds - The state levies and collects a tax on every gallon of motor fuel sold in the state. From this tax, one cent on each gallon taxed is allocated for and distributed back to the municipalities. The municipalities share three-fourths of a cent based on its population from the last federal decennial census, and one-fourth cent based on its mileage of public streets. Annexation will not affect the part of these funds distributed according to population until the 1980 census. The increased street mileage will be subject to increased funds. In the 1971-72 fiscal year, Garner received \$60,175 on 22.42 miles of streets. This represents \$671.00 per mile.
- 9) ABC Funds - The Wake County Board of Alcoholic Control, which operates all ABC stores in the county, shares the net profits with the various incorporated municipalities in the county. The county retains 73% of the profits, and the towns share the remaining 27% on the basis of assessed valuation. For the 1971-72 fiscal year, Garner received \$8,826, on an assessed valuation of \$16,763,515. This is \$1.00 for each \$2,000 of valuation. This could easily fluctuate due to profits on ABC sales and increase in property valuation in other towns.
- 10) Water and Sewer Revenues - The town will charge all new water and sewer customers the rates in effect at the time they receive the service. These revenues could be substantial, even though there will be revenues lost from these customers who are now served and now pay double rates.
- 11) Revenue Sharing - While General Revenue Sharing is a new concept for local governments, the town anticipates that it will receive \$58,000 for the first entitlement year. This amounts to approximately \$10 per capita.





## Cost

Installing water and sewer lines and employing new personnel and purchasing new equipment for the police and sanitation departments is a very costly project.

Cost estimates for each municipal service now provided has been prepared and are based upon additional operating and capital outlay expenses necessary to extend these services to the areas proposed for annexation on a level equal to that now provided within the Town of Garner.

- 1) Water and Sewer - The town's consulting engineer and the Town Manager prepared the cost estimates of extending both water and sewer into the annexed areas.
- 2) Fire Protection - The Town of Garner and the areas proposed for annexation are currently being served by the Garner Volunteer Fire Department.
- 3) Police Protection - If both areas are annexed, the town's population and the street mileage will increase by approximately 25%. The police department should thus increase its personnel and equipment (police cars) by that amount.
- 4) Garbage Collection - To maintain a high level of service, the town would need to purchase a new packer truck and hire a crew of four.
- 5) Street Lights - The town contracts with Carolina Power and Light Company for its street lights. The cost is \$3 per light per month in residential areas, spaced at intervals of approximately 250 feet.
- 6) Streets - The costs for maintaining existing streets is based on the previous year's street department operating budget and the existing miles of streets maintained by the town. There is one unpaved street, which the town would pave, assessing the cost against the property owners.





# STUDY AREA I - ESTIMATED ANNUAL REVENUES

	<u>ASSESSED VALUE</u>	<u>REVENUE</u>
Real Property Tax	\$2,473,922	\$ 37,107
Personal Property Tax	354,449	5,316
Privilege License	--	390
Powell Bill	--	2,670
Auto License	--	489
Intangible Tax	--	2,121
Franchise Tax	--	4,808
ABC Funds	--	1,414
Water and sewer Sales	--	10,000
Assessments and Acreage Fees	--	<u>36,000</u>
	TOTAL	\$100,315

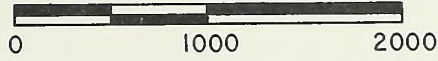
# STUDY AREA I - ESTIMATED ANNUAL COSTS

Water (Debt Service)	\$ 13,200
Sewer (Debt Service)	34,500
Water and Service Maintenance	10,000
Fire Protection	3,440
Police Protection	10,000
Garbage Collection	17,080
Street Lights	2,916
Street Maintenance	<u>15,000</u>
	TOTAL \$106,136





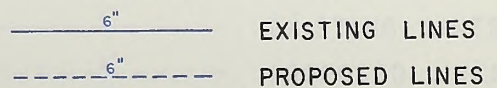
# GARNER, NORTH CAROLINA



## PROPOSED ANNEXATION AREA I

MAP 4

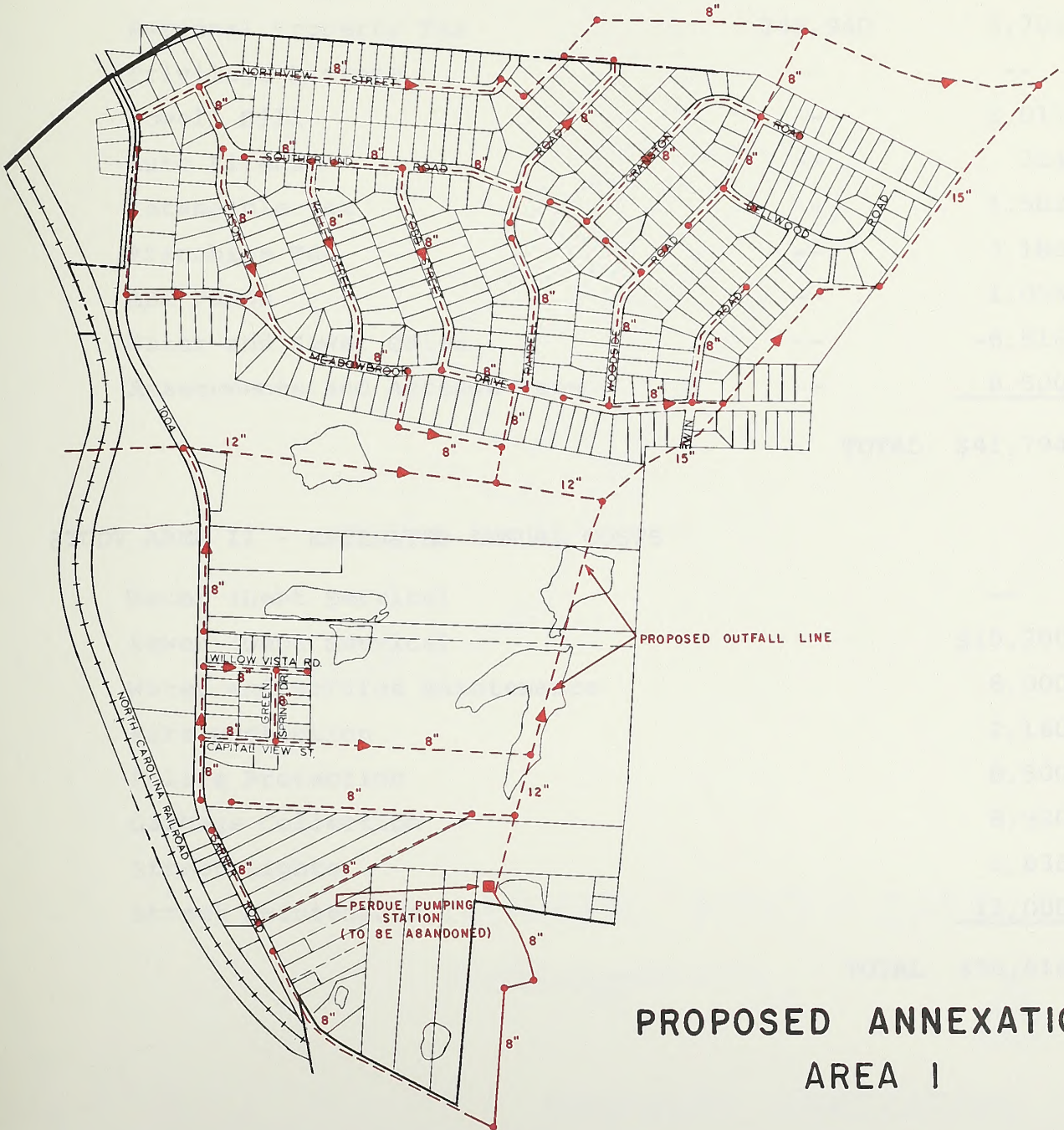
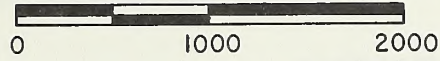
### WATER SYSTEM







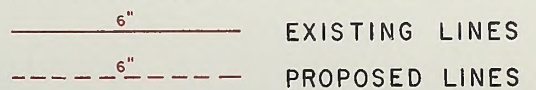
# GARNER, NORTH CAROLINA



## PROPOSED ANNEXATION AREA I

MAP 5

## SEWERAGE SYSTEM







# STUDY AREA II - ESTIMATED ANNUAL REVENUES

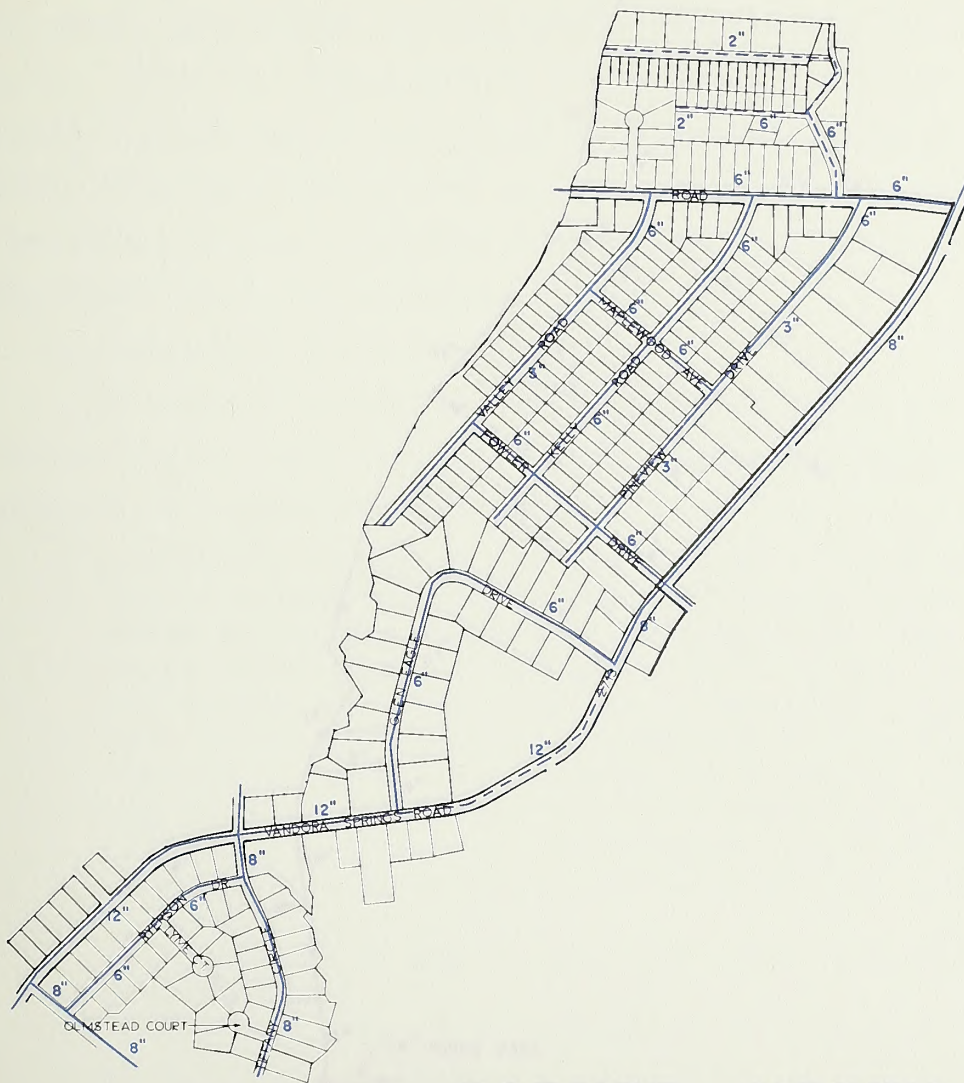
	<u>ASSESSED VALUE</u>	<u>REVENUE</u>
Real Property Tax	\$1,863,104	\$27,946
Personal Property Tax	246,940	3,704
Privilege License	--	--
Powell Bill	--	2,013
Auto License	--	324
Intangible Tax	--	1,582
Franchise Tax	--	3,186
ABC Funds	--	1,055
Water and Sewer Sales	--	-6,516
Assessments and Acreage Fees	--	<u>8,500</u>
	TOTAL	\$41,794

# STUDY AREA II - ESTIMATED ANNUAL COSTS

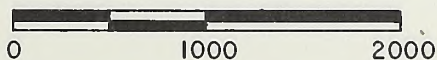
Water (Debt Service)	--
Sewer (Debt Service)	\$15,200
Water and Service Maintenance	8,000
Fire Protection	2,160
Police Protection	8,500
Garbage Collection	8,920
Street Lights	1,836
Street Maintenance	<u>12,000</u>
	TOTAL \$56,616







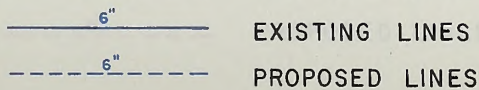
# GARNER, NORTH CAROLINA



## PROPOSED ANNEXATION AREA 2

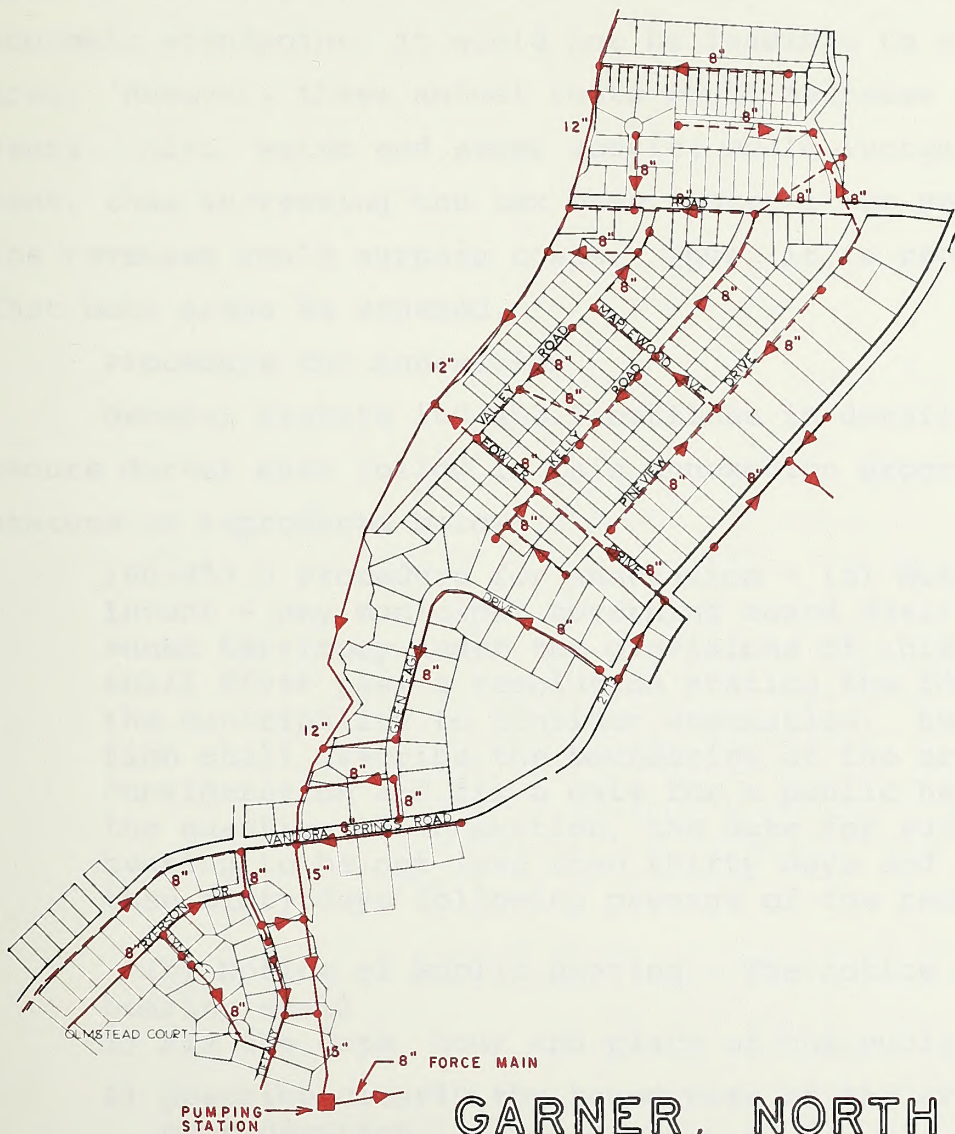
MAP 6

### WATER SYSTEM









# GARNER, NORTH CAROLINA

0 1000 2000



## PROPOSED ANNEXATION

### AREA 2

MAP 7

## SEWERAGE SYSTEM

6" EXISTING LINES  
 6" PROPOSED LINES





### Feasibility of Annexation

Costs exceed estimated annual revenues by \$5,821 in Area I, and by \$14,822 in Area II. Thus, from a strictly economic standpoint, it would not be feasible to annex either area. However, these annual costs would decrease after three years. Also, water and sewer service would increase development, thus increasing the tax base. Over a ten year period, the revenues would surpass costs. Thus, it is recommended that both areas be annexed.

### Procedure for Annexation

General Statute 160-453.5 outlines in detail the procedure Garner must follow in this annexation program. This statute is reproduced below:

160-453.5 Procedure for annexation - (a) Notice of Intent - Any municipal governing board desiring to annex territory under the provisions of this part shall first pass a resolution stating the intent of the municipality to consider annexation. Such resolution shall describe the boundaries of the area under consideration and fix a date for a public hearing on the question of annexation, the date for such public hearing to be not less than thirty days and not more than sixty days following passage of the resolution.

(b) Notice of Public Hearing - The notice of public hearing shall

- 1) Fix the date, hour and place of the public hearing.
- 2) Describe clearly the boundaries of the area under consideration.
- 3) State that the report required in 160-453.3 will be available at the office of the municipal clerk at least fourteen days prior to the date of the public hearing.





Such notice shall be given by publication in a newspaper having general circulation in the municipality once a week for at least four successive weeks prior to the date of the hearing. The period from the date of the first publication to the date of the last publication, both dates inclusive, shall be not less than twenty-two days including Sundays, and the date of the last publication shall be not more than seven days preceding the date of public hearing. If there be no such newspaper, the municipality shall post the notice in at least five public places within the municipality and at least five public places in the area to be annexed for thirty days prior to the date of public hearing.

(c) Action Prior to Hearing - At least fourteen days before the public hearing, the governing board shall approve the report provided for in 160-453.3, and shall make it available to the public at the office of the municipal clerk. In addition, the municipality may prepare a summary of the full report for public distribution.

(d) Public Hearing - At the public hearing a representative of the municipality shall first make an explanation of the report required in 160-453.3. Following such explanation, all persons resident or owning property in the territory described in the notice of public hearing, and all residents of the municipality, shall be given an opportunity to be heard.

(e) Passage of the Annexation Ordinance - The municipal governing board shall take into consideration facts presented at the public hearing and shall have authority to amend the report required by 160-453.3 to make changes in the plans for serving the area proposed to be annexed so long as such changes meet the requirements of 160-453.3. At any regular or special meeting held no sooner than the seventh day following the public hearing and not later than sixty days following the public hearing, the governing board shall have authority to adopt an ordinance extending the corporate limits of the municipality to include all, or such part, of the area described in the notice of public hearing which meets the requirements of 160-453.4 and which the governing board has concluded should be annexed. The ordinance shall:





- 1) Contain specific findings showing that the area to be annexed meets the requirements of 160-453.4. The external boundaries of the area to be annexed shall be described by metes and bounds. In showing the application of 160-453.4(c) and (d) to the area, the governing board may refer to boundaries set forth on a map of the area and incorporate same by reference as a part of the ordinance.
- 2) A statement of the intent of the municipality to provide services to the area being annexed as set forth in the report required by 160-453.3.
- 3) A specific finding that on the effective date of annexation the municipality will have funds appropriated in sufficient amount to finance construction of any water and sewer lines found necessary in the report required by 160-453.3 to extend the basic water and/or sewer system of the municipality into the area to be annexed, or that on the effective date of annexation the municipality will have authority to issue bonds in an amount sufficient to finance such construction. If authority to issue such bonds must be secured from the electorate of the municipality prior to the effective date of annexation, then the effective date of annexation shall be no earlier than the day following the statement of the successful result of the bond election.
- 4) Fix the effective date of annexation. The effective date of annexation may be fixed for any date within twelve months from the date of passage of the ordinance.

(f) Effect of Annexation Ordinance - From and after the effective date of the annexation ordinance, the territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in such municipality and shall be entitled to the same privileges and benefits as other parts of such municipality. The newly annexed territory shall be subject to municipal taxes levied for the fiscal year





following the effective date of annexation. If the effective date of annexation falls between January 1 and June 30, the municipality shall, for purposes of levying taxes for the fiscal year beginning July 1 following the date of annexation, obtain from the county a record of property in the area being annexed which was listed for taxation as of said January 1. If the effective date of annexation falls between June 1 and June 30, and the effective date of the privilege license tax ordinance of the annexing municipality is June 1, then businesses in the area to be annexed shall be liable for taxes imposed in such ordinance from and after the effective date of annexation.

(g) Simultaneous Annexation Proceedings - If a municipality is considering the annexation of two or more areas which are all adjacent to the municipal boundary but are not adjacent to one another, it may undertake simultaneous proceedings under authority of this part for the annexation of such areas.

(h) Remedies for Failure to Provide Services - If, not earlier than one year from the effective date of annexation, and not later than fifteen months from the effective date of annexation, any person owning property in the annexed territory shall believe that the municipality has not followed through on its service plans adopted under the provisions of 160-453.3(3) and 160-453.5(e), such person may apply for a writ of mandamus under the provisions of Article 40, Chapter 1 of the General Statutes. Relief may be granted by the judge of Superior Court.

- 1) If the municipality has not provided the services set forth in its plan submitted under the provisions of 160-453.3(3)a on substantially the same basis and in the same manner as such services were provided within the rest of the municipality prior to the effective date of annexation, and
- 2) If at the time the writ is sought such services set forth in the plan submitted under the provisions of 160-453.3(3)a are still being provided on substantially the same basis and in the manner as on the date of annexation of the municipality.





Relief may also be granted by the judge of Superior Court.

- 1) If the plan submitted under the provisions of 160-453.3 (3)c require the construction of major trunk water mains and sewer outfall lines, and
- 2) If contracts for such construction have not yet been let. If a writ is issued, costs in the action, including a reasonable attorney's fee for such aggrieved person, shall be charged to the municipality.





# COST ESTIMATE

## B. WATER DISTRIBUTION SYSTEM

### Area I - Clearlake Subdivision

1" Water Line	1735 LF @ \$ 3.50 =	\$ 6,072.50
1" Water Main	2250 LF @ \$ 1.00 =	2,250.00
1" Water Main	1000 LF @ \$ 0.50 =	500.00
Fire Hydrant	1 @ \$ 500 =	500.00
2" Valve	2 @ \$ 50 =	100.00
6" Valve	1 @ \$ 100 =	100.00
Service	100 @ \$ 1.00 =	100.00
		<u>\$ 9,562.50</u>

### Area II -

#### Clearlake Subdivision

## APPENDIX

Fire Hydrant	1 @ \$ 500 =	500.00
		<u>\$ 500.00</u>

### Area III -

1" Water Line	1575 LF @ \$ 2.50 =	\$ 3,937.50
1" Water Main	200 LF @ \$ 1.00 =	200.00
Fire Hydrant	1 @ \$ 500 =	500.00
2" Valve	2 @ \$ 50 =	100.00
6" Valve	1 @ \$ 100 =	100.00
Service	10 @ \$ 1.00 =	10.00
		<u>\$ 4,847.50</u>

Total Estimated Distribution Cost		\$ 14,330.00
Engineering		5,000.00
Contingency		<u>11,000.00</u>
Total Estimated Project Cost		\$ 30,330.00





## COST ESTIMATES

### A. WATER DISTRIBUTION SYSTEM

#### AREA I - Cloverdale Subdivision

2" Water Line.....	2715	LF @ 2.50	= \$	6,787.50
6" Water Main.....	9805	LF @ 5.00	=	49,025.00
12" Water Main.....	2565	LF @ 8.00	=	20,520.00
Fire Hydrants.....	9	@ 500	=	4,500.00
2" Valves.....	2	@ 50	=	100.00
6" Valves.....	10	@ 150	=	<u>1,500.00</u>
Services.....	200	@ 150	=	33,000.00
				<u>\$115,432.50</u>

#### AREA II -

##### Hopedale Subdivision

Fire Hydrants.....	1	@ 500	= \$	<u>500.00</u>
			\$	500.00

##### Jonesville Area

2" Water Line.....	1575	LF @ 2.50	= \$	3,937.50
6" Water Main.....	800	LF @ 5.00	=	4,000.00
Fire Hydrants.....	1	@ 500	=	500.00
2" Valves.....	1	@ 50	=	50.00
6" Valves.....	1	@ 150	=	150.00
Services.....	15	@ 150	=	<u>2,250.00</u>
				<u>\$ 10,887.50</u>

Total Estimated Construction Cost	126,320.00
Engineering	9,000.00
Contingency	<u>12,000.00</u>
Estimated Water Project Cost	<u>\$147,320.00</u>





## B. WASTE WATER REMOVAL SYSTEM

### AREA I - Cloverdale Subdivision

8" V.C. Pipe - 0 - 6' Depth -	11220 LF @	8.00 =	\$ 89,760.00
8" V.C. Pipe - 6' - 8' Depth -	7705 LF @	9.00 =	69,345.00
8" V.C. Pipe - 8' - 10' Depth -	4285 LF @	12.00 =	51,420.00
Manholes	84 @	400.00 =	33,600.00
Pavement Replacement	150 SY @	10.00 =	1,500.00
Services	274 @	200.00 =	<u>54,800.00</u>
			\$300,425.00

### AREA II -

#### Hopedale Subdivision

8" V.C. Pipe - 0 - 6' Depth -	5710 LF @	8.00 =	45,680.00
8" V.C. Pipe - 6' - 8' Depth -	2575 LF @	9.00 =	23,175.00
Manholes	27 @	400.00 =	10,800.00
Pavement Replacement	90 SY @	10.00 =	900.00
Services	123 @	200.00 =	<u>24,600.00</u>
			\$105,155.00

#### Jonesville Area

8" V.C. Pipe - 0 - 6' Depth -	1550 LF @	8.00 =	12,400.00
8" V.C. Pipe - 6' - 8' Depth -	260 LF @	9.00 =	2,340.00
8" V.C. Pipe - 8' - 10' Depth -	350 LF @	12.00 =	4,200.00
Manholes	8 @	400.00 =	3,200.00
Services	20 @	200.00 =	<u>4,000.00</u>
			\$26,140.00

Total Estimated Construction	\$431,720.00
Engineering	34,537.00
Contingency	<u>43,743.00</u>
Estimated Wastewater Project Cost	\$510,000.00





ENVIRONMENTAL IMPACT STATEMENT  
ANNEXATION STUDY, GARNER, NORTH CAROLINA

- 1) ABSTRACT - This study is prepared to assist the Town of Garner in determining if two developed areas adjacent to the Town can meet the statutory requirements of the state law and if it would be economically feasible to annex these two areas.
- 2) ENVIRONMENTAL IMPACT - If either or both areas are annexed, there would be a beneficial impact on the environment for the following reasons:
  - a) Areas now dependent on septic tanks and individual wells would be provided with both services from Garner. Many of the septic tanks on the Cloverdale subdivision are threatening to pollute individual wells. Septic tanks in Hopedale Subdivision pose a threat to Lake Benson, a source of water for the City of Raleigh.
  - b) Municipal solid waste collection and disposal will eliminate the burning of trash and thus lessen air pollution.
- 3) ADVERSE ENVIRONMENTAL EFFECTS - The provision of water and sewer to this new area will spur further growth and development of more land, thus reducing natural vegetation and increasing storm water run-off and the volume of solid waste.
- 4) ALTERNATIVES -
  - a) No annexation would cause continued harm to the environment.
- 5) THE RELATIONSHIP BETWEEN SHORT TERM USES OF ENVIRONMENT AND MAINTENANCE OF LONG TERM PRODUCTIVITY - Much of the land considered for annexation is already developed. If annexed, the town can exercise more control over the undeveloped land - by encouraging compact development.





- 6) MITIGATION MEASURES PROPOSED TO MINIMIZE IMPACT - The beneficial effects of annexation of these two areas far outweigh the negative effects on the environment. The provision of water and sewer will tend to spur development, but the municipal services will prevent pollution of individual well supplies.
- 7) COMMITMENT OF RESOURCES - If annexation is completed, large capital outlays will be required to provide water and sewer lines, more personnel and equipment to provide garbage collection and police protection.
- 8) APPLICABLE FEDERAL, STATE, AND LOCAL ENVIRONMENTAL CONTROLS -
- Federal: National Environmental Policy Act of 1969  
Land and Water Conservation Fund Act, 1964  
Environmental Quality Act of 1970
- State : Water Use Act of 1967  
Annexation Law - Chapter 160, Article 36
- Local : County Health Department Regulations on Water and Sewer









